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SENSITIVE
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DEPT FOR SCA/CEN, EUR/RPM - J. FISHER

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SUBJECT: TAJIKISTAN - OSCE HUMAN DIMENSION IMPLEMENTATION MEETING
INPUT

REF: STATE 59944

DUSHANBE 00000828 001.2 OF 002

11. (SBU) Tajikistan scores poorly across the board on implementation of human dimension commitments. In response to reftel, post suggests highlighting the following issues in a demarche on OSCE human dimension implementation:

-- Law on Religion: Tajikistan's recently enacted "law on freedom of conscience" places additional restrictions on religious practice, and favors one type of Islamic practice (Hanafi) over others. It is contradictory to Tajikistan's OSCE obligations. Since its enactment we have observed an increase in arrests and harassment of members of minority religious groups, including Jehovah's Witnesses and followers of Salafism. Post believes such actions will force religious practice underground, and result in radicalization of members of religious minorities.

-- Election law: Tajikistan will hold parliamentary elections in February 2010. Recommendations from IFES and OSCE to improve existing election laws to help bring about more free and fair elections have been effectively ignored by the Government of Tajikistan; Parliament has not acted on draft election legislation, and new administrative code changes have made only minor changes to the electoral system. Tajikistan's past elections have not met OSCE standards, and time is running out to enact new legislation to improve the conduct of the next elections.

-- Ombudsman: We are encouraged by the President's recent appointment of a Human Rights Ombudsman. However, the office is not independent of the President and apparently does not have adequate resources to function. If the government is serious about making this office an effective tool to fight human rights abuses, it must give it the resources and political independence to do its job.

-- Torture: As the recent beating death of a local doctor by Tajik Police exemplifies, police abuse detainees with impunity. Khurshed Bobokalonov died in custody on June 27; police blamed his death on heart failure, but witnesses saw them beating him, and later inspection of his body showed numerous wounds from beating. Tajikistan must set an example by investigating this

incident, and punishing those who killed Bobokalonov.

-- Trafficking in Persons: Tajikistan has increased its efforts against trafficking in persons over the past year, but is still far from effectively combating this problem. The government must appoint a new Chairman of the Interministerial Commission on Trafficking in Persons, to coordinate government efforts. Tajikistan must devote resources to educating Tajiks about the dangers of trafficking, rather than relying on donors to do this. Most importantly, Tajikistan must demonstrate its seriousness by investigating, prosecuting, and convicting those engaged in trafficking in persons, including officials who force students and others to pick cotton, and security officials who have allegedly raped and abused victims of trafficking.

-- Corruption/Rule of Law: Tajikistan has made little progress against official corruption, and scores very poorly on international corruption indices. Corruption, including the buying and selling of offices, misuse of resources, and the demand for bribes at all levels of officialdom, undermines public faith in government and in the value of democratic political participation, deters investment, and has caused immense damage to the educational and health systems. It contributes to the economic flight of hundreds of thousands of Tajiks, as it reduces economic opportunities at home. Government efforts against corruption are at best ineffective and at worst, score-settling between different factions. While changing an entire governmental system will be difficult, it can be done. Tajikistan must begin to change course, starting with greater transparency, or consign itself to perpetual international marginalization and poverty.

DUSHANBE 00000828 002.2 OF 002

12. (U) Post thanks the Department for the opportunity to contribute to this demarche.
JACOBSON